

## REMARKS

5 The Office Action dated 02/22/2005 indicates: claims 1-21 are pending, of which  
claims 1-9 and 11-14 are rejected, claims 10 and 18-21 are objected to, and claims 15-  
17 are allowed. Claims 1-6, 12 and 14 stand rejected under USC 102(e) as being  
anticipated by Bode et al (US 6,535,774). Claims 7-9 and 13 stand rejected under USC  
103(a) over Bode et al (US 6,535,774), in view of Moslehi (US 5,635,409). Claim 11  
stands rejected under USC 103(a) as being unpatentable over Bode et al (US  
10 6,535,774).

Claim 8 has been amended for clarification. More specifically, the words  
"substrate sensitive" have been deleted.

Claim 16 has been amended to correct a typographical error. More specifically,  
the word "steps" has been replaced with the word "step."

15 Claim 20 has been amended to correct a typographical error. More specifically,  
a period has been added to the end of the claim.

### *Oath/Declaration*

20 The Office Action also indicates that the oath or declaration is defective.  
A corrected signed oath and declaration is provided with this mail.

### *Claim Objections*

25 The Office Action indicates that claim 18 and therefore claims 19-21 are objected  
to because claim 18, line 1 recites an indefinite phrase "In a combination,". The Office  
Action further states that claims should clearly defined either a system or method and  
30 that appropriate correction is required.

Applicant respectfully request reconsideration of the objection in view of the claim amendment and the following comments. The originally filed claim 18 contained the opening phrase "In a combination" which includes a typographical error. The correct opening phrase for claim 18 should have been "In combination" as shown in the amended claim 18 above.

Applicant believes that the corrected phrase "In combination" is sufficiently definite as it has been used in the claims of numerous other patents. Some examples of issued patents that include claims with the preamble "In combination" are US Patent 5,224,216, US Patent 5,892,198, US Patent 6,326,584, US Patent 6,392,210, and US Patent 6,774,060.

Furthermore, it is stated that the preamble "In combination" is acceptable in claims in "Landis on Mechanics of Patent Claim Drafting," by Robert C. Faber, 4th edition, Practising Law Institute, Section 15, 1999.

In view of these arguments and/or amendment, Applicant respectfully requests withdrawal of the objection(s) to claim 18 and therefore claims 19-21.

### ***Claim Rejections – 35 USC 102(e) and 103***

In view of the Examiner's finding that claim 10 is allowable, independent claim 1 has been rewritten to include all of the limitations of originally filed dependent claim 10 so that independent claim 1 is now allowable with the same scope as originally filed claim 10. In addition, claim 10 has been revised to recite that the process conditions are temperatures. Claim 11 has been amended so as to be compatible with the revised claim 1.

The amendment to claim 1 obviates the rejections of independent claim 1 and dependent claims 2-9 and 11-14. In other words, independent claim 1 is now allowable and dependent claims 2-9 and 11-14 are allowable because they depend from allowable independent claim 1 and add additional limitations and/or description.

Similarly, dependent claim 10 is allowable because it adds further limitations and/or description to allowable independent claim 1 from which it depends.

The amendment of claim 1 is done without prejudice to Applicant's rights to further prosecute the originally submitted claim 1 and any related dependent claims in a continuation, continuation in part, and/or request for continued examination.

5 In view of the above amendments, Applicant respectfully requests withdrawal of the rejection(s) under 35 USC 102(e) of claims 1-6, 12, and 14 and withdrawal of the rejection(s) under 35 USC 103 of claims 7-9 and 13.

### ***Drawings***

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Applicant respectfully requests consideration of the enclosed replacement drawing sheet included for Fig. 2 and Fig. 3. No new matter has been added to the replacement drawing sheet. The replacement drawing sheet merely shows that the text in the originally submitted Fig. 2 has been converted into all capital letters so as to be  
15 consistent with the text in Fig. 3, Fig. 4, and Fig. 5.

***Conclusions***

In view of the foregoing remarks and amendments, further and favorable action in the form of a notice of allowance for claims 1-21 is believed to be next in order, and  
5 such action is earnestly solicited.

Please telephone the undersigned at (408) 396-1112 if there are any questions regarding this matter.

10 Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Larry Williams', with a long horizontal flourish extending to the right.

15 Larry Williams  
Reg. No. 39,428  
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Customer #25199

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## **DRAWING AMENDMENTS**

Please enter the enclosed replacement drawing sheet included for Fig. 2 and Fig.

- 5 3. The replacement drawing sheet merely shows that the text in the originally submitted Fig. 2 has been converted into all capital letters.